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G.149

PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC

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NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

CHIEF EXECUTIVE OFFICER, ANDHRA PRADESH STATE WAQF BOARD, VIJAYAWADA-1.

F.No.07/GNT/T/2011/Z-V.

Date: 15-07-2020.

GUNTUR TOWN & DISTRICT - CHINNA MOULA PANJA ASHOOR KHANA - EXTENSION OF THE TERM OF MUTHAWALLI SHIP OF Sri SHAIK KHADER BABA, S/o. Md.ABKHAN SAHEB AS MUTHAWALLI U/Sec. 63 OF THE WAQF ACT. 1995 FOR A PERIOD OF TWO YEARS - EXTENT RECTIFY OF 2202 Sq. YARDS i.e., 19824 Sq. FEETS IN T.S.NO.253. WARD NO.8. BLOCK No.3, INSTEAD OF 2160 Sq. YARD - RECTIFICATION - REVISED PROCEEDINGS ISSUED.

- Read:
1. This office Proceedings of even No. Dated: 23-11-2013.
 2. Representation of Sri Shaik Khader Baba, Dt: 09-02-2018.
 3. Report of the I.A. Waqfs, Guntur District, Dt:11-10-2018.
 4. Orders of the Hon'ble Chairperson, APSWB, Dt: 29-10-2018.
 5. Board's Resolution No 181/2018, Dated: 13-11-2018.
 6. This Office Proceedings of even No. Dt: 15-11-2018.
 7. Representation of Sri Shaik Khader Baba, Muthawalli, Dt: 25-02-2019.
 8. Report of the I.A. Waqfs, Guntur District, Dt: 26-02-2019.
 9. A.P. Waqf Gazette No. 9, Dated: 26-02-2015.
 10. Orders of the C.E.O., A.P.S.W.B., Dt: 13-07-2020.

ORDER :

The subject Waqf institution namely Chinna Moula Panja (Ashoor Khana) and it's attached landed property in Sy. No. 423 to an extent of Ac. 11.06 cents situated at Nehru Nagar, Guntur District and T.S.No.253. Ward No.8, Block No 3 to an extent of 2160 Sq. yds at China Bazar, Guntur town is notified Waqf property published in A.P. Gazette No. 26, Dt: 28-06-1962 at Serial No. 818 under the Muthawalli ship of Janab Md. Abkhan Saheb.

In the reference 6th read above, the Waqf Board has issued Proceedings for Extension of the term of Muthawalli ship of Sri Shaik Khader Baba. S/o Md Abkhan Saheb as Muthawalli U/Sec.63 of the Waqf Act 1995 for a period of two years.

In the reference 7th read above, the Muthawalli of subject institution have requested to change and rectify the proceedings Extent ot 2202 Sq. Yards i.e. 19824 Sq Feet in T.S.No.253, Ward No.8, Block No.3, instead of 2160 Sq. Yard.

In the reference 8th read above, the Inspector Auditor Waqfs, Guntur District has submitted his report that, it is a fact that the Town Survey record shows an extent of 19824 Sq. Feet i.e., 2202 Sq. Yards situated in T.S.No.253, belongs to Chinna Moula Panja, and the same has been published in A.P. Gazette No.09, Dated: 26-02-2015. However, in the A.P.S. Waqf Board Proceedings the extent was shown as 2160 Sq. Yards situated in T.S.No. 253 and requested to kindly rectify the extent of 2202 Sq. Yards i.e., 19824 Sq. Feet, in T.S.No.253, Ward No.8, Block No.3, instead of 2160 Sq. Yard.

In this connection, the matter was placed before the Chief Executive Officer, A P. State Waqf Board, Vijayawada who after careful examination has passed orders vide reference 10th read above to ratify the extent of 2202 Sq. Yards i.e., 19824 Sq. Feet in T.S.No.253, Ward No.8, Block No.3, instead of 2160 Sq. Yard, in respect of the subject Waqf institution and as per Waqf Rules from the date of issue of this orders.

Accordingly, the extent is ratified as 2202 Sq. Yards i.e., 19824 Sq. Feet in T.S.No.253, Ward No.8, Block No.3, instead of 2160 Sq. Yard in respect of Chinna Moula Panja Ashoor Khana at Chinna Bazar, Guntur Town and District.

The Muthawalli should discharge his legitimate duties strictly as determined in Section 50 of Waqf Act, 1995 read with Rules 20 of A.P. Waqf Rules, 2000 and should follow the instructions issued by the Board for time to time. He should submit the Accounts Budget Income & Expenditure statement and paid Waqf Fund properly, failing which Section 61 and 64 of the Waqf Act. 1995 will be attracted duties mentioned hereunder :

- a) To implement the orders issued by the Board from time to time.
- b) To carry out the directions of the Board.
- c) To allow Inspector Auditor Waqfs regarding property accounts, records, deeds and documents relating thereto.
- d) To discharge all public duties.

- e) To do any other Act which he is Lawfully required to do be or under this Act.
- f) The Muthawalli should submit Accounts, Budget yearly to the Board as required U/Sec 44 & 46 of Waqf Act, 1995 regularly and pay Waqf fund U/sec. 72 of Waqf Act, 1995 every year without fail.
- g) Shall render proper and correct accounts of the Institution and its attached properties and shall not suppress any fact.
- h) That the Muthawalli is restrictor to grant lease of Waqf property exceeding one year.
- i) The Muthawalli should follow the Norms fixed in Section 56 of the Waqf Act. while granting Lease of any agricultural land.
- j) He will not entitled to expend the Monies of Waqf exceeding 10% of the net annual Income.

As per sec. 101 (2) of Waqf Act, 1995, "Every Muthawalli of a Waqf, every member of managing committee whether constituted by the Board or under any deed of Waqf, every Executive Officer and every person holding any office in a Waqf shall also be deemed to be a public servant within the meaning of Sec.21 of the Indian Penal Code". As such, for the illegal Act if any, every member of the committee will be liable for penal action. The Committee shall also noted that Sec.3 (ee) defined encroacher, Sec. 52-A explain rigorous punishment upto 92 years and Sec.61 speaks penalty and punishment upto (6) months for the lapses/ charges shown therein, hence should act carefully delinquency and maintain account scrupulously.

The APSWB, reserves its right to modify / cancel / alter / with hold the order at any time without assigning any reasons thereof.

S. ALEEM BASHA,
Chief Executive Officer,
A. P. State Waqf Board, Vijayawada.

To

Sri Shaik Khader Baba (adopted son of Late Sri Md. Abkhan Saheb),
Muthawalli of Chinna Moula Panja Ashoor Khana,
Nehrunagar, Guntur City & District.

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